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Senate CIA Panel Extends Probe to Police Operations

Committee Seeks Data on Intelligence Gathering by Local Departments but Is Rebuffed by Chief Davis

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WASHINGTON—A Senate committee investigating the Central Intelligence Agency has expanded its probe to cover intelligence-gathering operations of police departments across the country, but it has encountered a rebuff from Los Angeles Police Chief Edward M. Davis.

"It will be a cold day in hell when I provide you with the information you have requested," Davis told the committee's chief counsel in response to a letter seeking, among other data, "the names of all individuals who engaged in intelligence-gathering activities" for the Los Angeles Police Department since 1965.

The Times obtained copies of the recent correspondence between Davis and Frederick A. O. Schwarz Jr., chief counsel of the panel, which has been investigating the intelligence activities of such governmental agencies as the CIA and FBI since February.

A congressional source said the inquiry into local police operations was "one of more than 80 different segments" of the committee's overall investigation.

In his letter to Davis, dated July 30, Schwarz said that the committee "is in the process of investigating the relationships between federal agencies and local police departments throughout the United States."

He said the panel "is especially interested in studying the funding, training, information sharing and cooperation between federal agencies or personnel and the intelligence and command units of your department."

"In this regard," Schwarz added, "the select committee would like to review documents, including memoranda and correspondence, which set forth the organizational structure, the training of personnel for and the selection of objects for your department's intelligence-gathering activities. We would like the names of individuals who have been involved in

training your intelligence personnel since 1965 as well as the names of all individuals who engaged in intelligence-gathering activities under the supervision or cooperation with your department since 1965."

The counsel solicited also Davis' views on the study. Davis gave them in a blistering letter dated Aug. 5.

"Your request for information is incredible," Davis wrote. "I think that the elected politicians in Washington . . . are doing a pretty good job of raping the FBI, the CIA and the DEA." The latter was a reference to the Drug Enforcement Administration.

"This, however, involves incest because they are federal agencies," the chief continued. "I suppose if members of Congress decide to destroy the effectiveness of the FBI, the CIA, the DEA and the military that this is their prerogative as long as their constituents hold still."

Davis told Schwarz that "the attempt to penetrate the appropriate criminal intelligence mechanisms of local government by federal lawmakers is an absolute violation of the 10th Amendment of the Constitution," which reserves to the states all powers not granted to the federal government by the Constitution.

He cited his department's intelligence operations as "one of the prime reasons" the Los Angeles crime rate had gone down almost 5% between 1970 and 1974 while the national crime rate had gone up 26%.

Intelligence operations are responsible also for "the fact that this is the only major city in the country relatively free of any organized crime influence" and the fact "that terrorists don't intimidate the citizens of our city," he said.

"Our intelligence gathering is in absolute conformance with California law and is done under guidelines set forth by our civilian Board of Police Commissioners," Davis wrote. "I would suggest that you stick your nose back in your own tent."

Schwarz would not talk with a Times reporter, but through an aide he said that "clearly, the nature of the connection between federal agencies and local police is very important."

The committee aide said letters similar to the one sent to Davis had gone out to "a number of police departments" and that "we are getting information in return." The aid refused to say which police departments had replied or to give any indication of the nature of the replies.

A spokesman for the committee's chairman, Sen. Frank Church (D-Ida.), said, in a response to questions, that the panel's staff had the authority to inquire into local police operations.

"I think they can—the charter is so broad," he said in reference to the resolution establishing the committee, which was adopted by the Senate Jan. 27.

The resolution instructs the committee "to conduct an investigation and study of the extent, if any, to which illegal, improper or unethical activities were engaged in by any agency or by any persons, acting either individually or in combination with others, in carrying out any intelligence or surveillance activities by or on behalf of any agency of the federal government."

No specific mention was made of local police intelligence operations, but other sections of the resolution authorized the committee to investigate "the extent and necessity of overt and covert intelligence activities in the United States and abroad" as well as "such other related matters as the committee deems necessary to carry out its responsibilities."

The committee's investigation thus far has centered on allegations that the CIA participated in plots to assassinate foreign leaders. Panel members now are preparing a report on this phase of the probe and will present it to the Senate next month. In the past, the CIA has provided training programs for some police departments but has refused to identify publicly the cities involved. In 1973, Congress amended the Omnibus Crime Control Act to exclude the agency from assisting local police departments.